IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:07CR258
Plaintiff,)	
VS.))
LATASHA DORTCH,)	ORDER
Defendant.)	

This case came before the Court on a Petition for Action on Conditions of Pretrial Release (#21). On October 29, 2007 Pretrial Services Officer James Roberts submitted a Petition for Action on Conditions of Pretrial Release alleging that Defendant had violated conditions of release as follows:

7. The defendant shall:

(v) Not be with, associate with, or communicate with persons known or suspected to be or to have been involved in drug use or trafficking or weapons possession or weapons trafficking without the prior approval of the supervising officer or the Court () except immediate family members; and/or () as required by a treatment regimen.

Pretrial Services has been provided information from the United States Attorney's Office in Omaha indicating the defendant has had telephone contact with co-defendant, Bobby MacArthur on at least 41 occasions between 09/27/07 and 10/13/07. These telephone calls were recorded by the Douglas County Correctional Center. Ms. Dortch was ordered by the Court at her release hearing on July 31, 2007, not to have any contact with Bobby MacArthur.

A warrant for Defendant's arrest was issued.

Defendant appeared before the undersigned magistrate on November 2, 2007. Donald Schense represented Defendant. Robert Cryne, Assistant United States Attorney represented the Government. After being advised of the nature of the allegations, rights, and the consequences if the allegations were found to be true, Defendant admitted the allegations. The Court took judicial notice of the Memorandum of Pretrial Services Officer

James Roberts dated November 1, 2007. The Court finds the allegations set out in the petition are generally true and finds the Defendant violated the conditions of release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release (#11) should be revoked. I find Defendant is unlikely to abide by conditions of release. I find that there is no condition or combinations of conditions that would reasonably assure Defendant's presence for further proceedings, or the safety of the community if Defendant were to be released upon conditions.

IT IS ORDERED:

- 1. The Petition for Action on Conditions of Pretrial Release (#21) is granted;
- 2. The July 31, 2007 Order Setting Conditions of Release (#11) is hereby revoked; and
- 3. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of the Court of the United States or on the request of an attorney for the Government, the person in charge of the correctional facility shall deliver Defendant to the United States Marshal for purpose of an appearance in connection with a court proceeding.

Dated this 2nd day of November 2007.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge